

HON'BLE THE ACTING CHIEF JUSTICE MR.BILAL NAZKI

AND

HON'BLE SRI JUSTICE R. SUBHASH REDDY

Writ Petition No.21484 of 2004

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Dated: 20th October 2005

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Between:

T. Nageshwar Rao ... Petitioner

And

Andhra Pradesh Industrial Infrastructure Corporation

(An undertaking of Government of A.P.)

Rep. By its Zonal Manager, Zonal Office at

Moulah, Hyderabad – 500 004.

... Respondent

Oral Order: (per the Hon'ble the Acting Chief Justice)

1. This writ petition is filed as the petitioner is aggrieved of the action of the respondent in canceling the allotment and resuming Plot No.B 50, measuring 2400 sq.yds/2000 sq. mtrs. in EC Kushaiguda. The case of the respondent was that since the plot had been allotted in an industrial area on a specific condition that it will be used for a specific purpose and the petitioner was changing the use of the property, therefore, the Corporation is entitled to resume the land.
2. During the course of hearing, the learned counsel for the

respondent has submitted that if the petitioner continues to use the land for the purpose for which it was allotted, the land shall not be resumed, and to that extent a Memo has also been filed by the counsel for the respondent.

3. The counsel for the petitioner also filed a Memo that the petitioner industry would use the plot of land for the purpose for which it has been allotted. He further submits that the petitioner may also seek permission of the authorities to change the land use. If such a request is made, it should be considered by the respondent in accordance with terms and conditions.

4. With the above observations, the writ petition is disposed of and the order of resumption is set aside.

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(Bilal Nazki, ACJ)

(R. Subhash Reddy, J)

20th October 2005.

svs